



PATENT
Attorney Docket No. SPV-001

#12 TECH CENTER 1600/2900
DEC 10 2002

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Spievack
SERIAL NO.: 09/691,345 GROUP NO.: 1636
FILING DATE: October 18, 2000 EXAMINER: Ketter, J. S.
TITLE: TISSUE REGENERATIVE COMPOSITION, METHOD OF MAKING,
AND METHOD OF USE THEREOF

Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the attached letter dated August 30, 2002 from Steven R. Lammert addressed to ACell, Inc., the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. A copy of such information is enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- (2) after the period defined in (1) but before the mailing date of a **final action or a notice of allowance** under 37 C.F.R. 1.311, and
 - the requisite Statement is below, OR
 - the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- (3) after the mailing date of a **final action or notice of allowance** but before the payment of the **issue fee**, **AND**
 - the requisite Statement is below, **AND**
 - the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that

- 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,


Ronda P. Moore, D.V.M.
Attorney for Applicant
Testa, Hurwitz, & Thibeault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110

Date: December 6, 2002
Reg. No. 44,244

Tel. No.: (617) 248-7044
Fax No.: (617) 248-7100

2501614